

Exhibit B

Sutton, Theresa A.

From: Mosko, Scott [scott.mosko@finnegan.com]
Sent: Tuesday, January 15, 2008 10:24 AM
To: Sutton, Theresa A.
Subject: RE: Facebook Notices of deposition

Theresa,

I will inquire. Please advise of the topics for the 30(b)(6) depositions you propose so we can identify the appropriate witnesses.

Scott R. Mosko
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 3300 Hillview Avenue Palo Alto, California 94304-1203
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FAX: 650-849-6666
EMAIL: scott.mosko@finnegan.com

-----Original Message-----

From: Sutton, Theresa A. [mailto:tsutton@orrick.com]
Sent: Monday, January 14, 2008 3:15 PM
To: Mosko, Scott; Wagner, Valerie
Cc: Cooper, Monte; Stillman, Stacey; Greer, Yvonne; Dalton, Amy
Subject: RE: Facebook Notices of deposition

Scott-

If the noticed dates are not convenient for your clients, please provide us with dates within the next six weeks on which these depositions can be taken. Please also provide dates for a ConnectU and a PNS 30(b)(6) witness.

Theresa

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O R R I C K

Theresa A. Sutton
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-----Original Message-----

From: Mosko, Scott [mailto:scott.mosko@finnegan.com]
Sent: Sunday, January 13, 2008 8:18 PM
To: Sutton, Theresa A.; Wagner, Valerie
Subject: Facebook Notices of deposition

Theresa,

I have just reviewed Facebook's recent notices of deposition. Facebook is in violation of the local rules, (see Civil L.R.

30-1) which requires a party intending to take depositions to confer with other parties before propounding a notice. I don't believe you have requested a conference for the depositions of my clients. If you wish to confer regarding this matter, please let me know. The notices are defective, and in any event, even if they were valid, the dates and times selected are not convenient.

Scott R. Mosko
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Sutton, Theresa A.

From: Sutton, Theresa A.
Sent: Thursday, January 17, 2008 6:14 PM
To: 'Mosko, Scott'
Cc: Wagner, Valerie; Lincoln, Sean; Cooper, Monte; Dalton, Amy
Subject: RE: Request for deposition dates and times

Scott-

I am out of the office until Monday. I will check with the client on who the appropriate witness(es) is/are, and inquire as to availability.

I'd appreciate it if you also would, at your earliest opportunity, forward dates and times for the depositions we noticed early this month, as well as the ConnectU and PNS 30(b)(6) witnesses I recently asked about.

Theresa



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From: Mosko, Scott [mailto:scott.mosko@finnegan.com]
Sent: Thursday, January 17, 2008 5:12 PM
To: Sutton, Theresa A.
Cc: Wagner, Valerie
Subject: Request for deposition dates and times

Theresa,

1/30/2008

Defendant ConnectU seeks to notice a Rule 30(b)(6) deposition of Facebook. Please provide us with dates and times you and Facebook are available. The general topics of inquiry will be the operation of Facebook's servers, and its internet connections from the time its website launched to the present. Please get back to me at your earliest opportunity.

Thank you

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Sutton, Theresa A.

From: Sutton, Theresa A.
Sent: Friday, January 25, 2008 9:48 AM
To: 'Mosko, Scott'; 'Webster, Jason'
Cc: Cooper, Monte; Lincoln, Sean; Stillman, Stacey; Dalton, Amy; Greer, Yvonne
Subject: Request for Meet and Confer

Scott-

Please let me know when you are available to discuss the following issues:

1. **Defendants Rule 56(f) Motion.** At the CMC, you indicated that you would withdraw the motion and raise the issues as alternative arguments in your Opposition to the Motion for Summary Judgment. We have not received a notice of withdrawal. Please let us know immediately what you intend to do, so that we may clarify with the Court how Plaintiffs are to respond to the motion.
2. **Depositions.** We noticed five depositions on January 8. You have not provided us dates for any of those depositions, despite my second and third requests on January 14 and 17 for dates, as well as Sean Lincoln's request on Wednesday, January 23. I also asked for dates when a 30(b)(6) witness for ConnectU and PNS can be made available. You have not provided any dates for those either. If we do not receive dates by next Wednesday, we will seek Court intervention and an order shortening time on briefing.
3. **Deposition Topics for Facebook 30(b)(6).** You have asked for Facebook's availability for a 30(b)(6) deposition on the "general topics of ... the operation of Facebook's servers, and its internet connections from the time its website launched to the present." I asked for more specificity as to these topics, as did Sean Lincoln when you spoke to him on Wednesday. We have not yet received any additional information from you and have not yet received a formal notice. Please let us know if you intend to provide it.
4. **Discovery.** I sent you a letter memorializing our meet and confer from December 24, 2007 regarding Mr. Chang's RFP responses and the other defendants' interrogatory responses. On January 2, 2008, you emailed me indicating that you would respond to that letter, noting that I had "misunderstood" something(s) you said in that conversation. I never received a response from you or any clarification of the issues. I sent you an email on Wednesday asking that you respond and provide such clarification, and also following up on our meet and confer during the CMC on January 16, 2008. Monte also sent you an email on January 18 confirming the meet and confer during the CMC and asking for clarification of misunderstandings to which you referred but did not identify. Please let me know when (and if) you intend to respond to these communications. If we do not hear from you by Wednesday, we will proceed on a motion to compel responses and an order shortening time on the motion.

I look forward to speaking with you soon.

1/30/2008

Theresa



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